

City of Clewiston  
Special Magistrate  
Regular Hearing  
January 26, 2011

The City of Clewiston Special Magistrate held its regular meeting in the city hall commission chambers, 115 West Ventura Avenue, Clewiston, Florida, on Wednesday, January 26, 2011. The meeting was called to order at 2:00 p.m. by Magistrate Watt.

Attendance

Magistrate present: James L. Watt

Personnel present: Pete Garcia, Marilyn McCorvey, Luis Medina, Travis Reese, Debra Towner

Visitor(s) present: Sami Matar, Mosharrof Parvez, David Robinson, James Swindle

Special Magistrate Watt briefly summarized the purpose of the hearing.

Approval of minutes from October 12, 2010: Let the record show an accurate reflection of the proceedings.

Swearing in of all parties intending to present testimony.

Additions/deletions to agenda: Mr. Reese stated there were none.

Consent agenda: All six (6) cases are dismissed after Code Officer Garcia's testimony that they are all in compliance.

New business:

Case No.10-0119:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 10-0119, for the property located at 215-217 Margaret Street, owner of record, Mary Jackson.

Mr. Reese stated the violation is lack of landscape maintenance sec. 102-129 (a) and presented pictures of the property.

Code Officer Garcia verified the pictures are of the property, as the owner was not present. The owner, Mary Jackson, had contacted the office and stated that the property has been mowed. Code Officer Garcia agreed that the property is now in compliance.

The City of Clewiston recommended dismissal of this case.

Mr. Watt ruled that case number 10-0119 is in compliance and is dismissed.

Case No.10-0120:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 10-0120, for the property located at 215-217 Margaret Street, owner of record, Mary Jackson.

Mr. Reese stated the violation is a dilapidated fence sec. 110-436 and presented pictures of the property.

Code Officer Garcia verified that the pictures are of the property, as the owner was not present. Ms. Jackson had notified the office that she is in communication with the neighbor, who is allegedly responsible for the damage to the fence.

The City of Clewiston recommended thirty (30) days to comply with code section 110-436 to repair the fence.

Mr. Watt ruled that the owner has thirty (30) days to repair the fence and to contact the office that it has been completed at which time a code officer will verify closure of this case. Failure to comply will result in a fine assessment hearing to determine what, if any, fines are to be levied.

Case No.10-0168:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 10-0168, for the property located at 720 East Trinidad Avenue, owner of record, D&J Machinery, Inc.

Mr. Reese stated the violation is overgrowth sec. 102-129 (a) and presented pictures of the property.

Code Officer Garcia verified that the pictures are of the property with the owner, who was present. Mr. James Swindle stated that they had sprayed the overgrowth and that the recent freezes had killed what remained. He requested two (2) weeks to finish cutting the taller weeds down.

The City of Clewiston recommended thirty (30) days to comply with code section 102-129 (a) to clean the overgrowth.

Mr. Watt ruled that the owner has thirty (30) days to clean the overgrowth and to contact the office that it has been completed at which time a code officer will verify closure of this case. Failure to comply will result in a fine assessment hearing to determine what, if any, fines are to be levied.

Case No.10-0169:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 10-0169, for the property located at 720 East Trinidad Avenue, owner of record, D&J Machinery, Inc.

Mr. Reese stated the violation is a dilapidated fence sec. 110-436 and presented pictures of the property.

Code Officer Garcia verified that the pictures are of the property with the owner who was present. Mr. James Swindle stated that he agrees the fence is in bad shape but that it costs quite a bit to repair. He requested ninety (90) days to repair all the fencing around the property.

The City of Clewiston recommended ninety (90) days to comply with code section 110-436 to repair the fence.

Mr. Watt ruled that the owner has ninety (90) days to repair the fence and to contact the office that it has been completed at which time a code officer will verify closure of this case. Failure to comply will result in a fine assessment hearing to determine what, if any, fines are to be levied.

Case No.10-0181:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 10-0181, for the property located at Lopez Place, owner of record, Florida's Finest Villas at Lake Shore LLC.

Mr. Reese stated the violation is lack of landscape maintenance sec. 102-129 (a) and presented pictures of the property.

Code Officer Garcia verified the pictures are of the property, as the owner was not present. The owner, Florida's Finest Villas at Lake Shore LLC, had contacted the office and stated that the dead vegetation on the north side of the property has been completed and that they are now working on the south side of the property. Code Officer Garcia agreed that the owner is working hard to bring the property into compliance.

The City of Clewiston recommended thirty (30) days to comply with code section 102-129 (a) to clean the dead vegetation.

Mr. Watt ruled that the owner has thirty (30) days to remove the dead vegetation and to contact the office that it has been completed at which time a code officer will verify closure of this case. Failure to comply will result in a fine assessment hearing to determine what, if any, fines are to be levied.

Case No.10-0196:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 10-0196, for the property located at 611 East Sugarland Hwy., owner of record, Harold Robinson.

Mr. Reese stated the violation is lack of building maintenance sec. 18-616 and presented pictures of the property.

Code Officer Garcia verified that the pictures are of the property with the son of the owner, David Robinson, who was present. Mr. David Robinson stated that he agrees the building is in need of repair but that the quotes they have received so far are too much money for them at this time. They requested information about the CRA grant funding availability. He requested ninety (90) days to complete the repairs to the building. Mr. Robinson stated that he was aware of possible fines if they fail to meet the deadline.

The City of Clewiston recommended ninety (90) days to comply with code section 18-616 to submit a CRA application, a permit application and to complete the repairs.

Mr. Watt ruled that the owner has ninety (90) days to repair the building and to contact the office that it has been completed at which time a code officer will verify closure of this case. Failure to comply will result in a fine assessment hearing to determine what, if any, fines are to be levied.

Case No.10-0197:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 10-0197, for the property located at 641 East Sugarland Hwy., owner of record, Clewiston 641 LLC.

Mr. Reese stated the violation is lack of building maintenance sec. 18-616 and presented pictures of the property.

Code Officer Garcia verified that the pictures are of the property with the owner, Mosharrof Parvez, who was present. Mr. Parvez stated that he agrees the building is in need of repair and that the application for the repairs has been submitted to the building department. He requested 40-50 days to complete the repairs to the building.

The City of Clewiston recommended sixty (60) days to comply with code section 18-616 to complete the repairs.

Mr. Watt ruled that the owner has sixty (60) days to repair the building and to contact the office that it has been completed at which time a code officer will verify closure of this case. Failure to comply will result in a fine assessment hearing to determine what, if any, fines are to be levied.

Case No.10-0215:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 10-0215, for the property located at 641 East Sugarland Hwy., owner of record, Clewiston 641 LLC.

Mr. Reese stated the violation is lack of sign maintenance sec. 18-394 and presented pictures of the sign.

Code Officer Garcia verified that the pictures are of the sign with the owner, Mosharrof Parvez, who was present. Mr. Parvez stated that he agrees the sign is in need of repair. He asked about exactly what the city required for the sign to be in compliance. After being told that if he took the other face out he would need to remove the whole pole and would not be able to replace it as it is a non-conforming sign. Another option would be to replace the missing face with a blank.

The City of Clewiston recommended sixty (60) days to comply with code section 18-394 to complete the repairs.

Mr. Watt ruled that the owner has sixty (60) days to repair the sign and to contact the office that it has been completed at which time a code officer will verify closure of this case. Failure to comply will result in a fine assessment hearing to determine what, if any, fines are to be levied.

Fine assessment:

Case #10-0171

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 10-0171, for the property located at 517 East Sugarland Hwy., owner of record, J'Lu Chevron Corp.

Mr. Reese stated that the owner, Jorge Fernandez, is sole proprietor and has health issues. He requested more time to take the pole down. Mr. Reese said that he will discuss with the CRA Advisory Committee about the availability of funding to aide Mr. Fernandez with the sign removal. The City of Clewiston recommended an extension of ninety (90) days with no fines in order to explore options for Mr. Fernandez.

Mr. Watt ruled that the owner has ninety (90) days to resolve the sign removal and to contact the office that it has been completed at which time a code officer will verify closure of this case. The case will then be placed on an agenda for review.

Case #10-0178:

Magistrate Watt announced that the purpose of the public hearing was to discuss and receive input from all interested parties regarding case number 10-0178, for the vacant property located at East Alverdez Avenue (PN#3-34-43-01-010-0366-002.0), owners of record, Luis & Sheila Rosales.

Mr. Reese stated that fence is still in violation. Mr. Garcia had driven by the site the morning of the meeting.

The owner nor an agent was present at the meeting. The City of Clewiston recommended and Mr. Watt concurred that there will be a fine of \$25.00 per day from 01/27/11 until compliance has been met. In addition, there will be \$150.00 charged for the period from August 27, 2010 until January 26, 2011 and a \$50.00 administration fee.

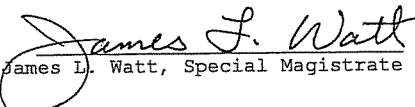
Other Business:

Sami Matar spoke about the fine assessed on October 12, 2010 on his father's property located at 211 West Ventura Avenue. The sign was repaired as of January 21, 2011 and he requested that the city be lenient about the total fee on the property. Mr. Reese stated and Mr. Watt concurred that the city would discuss and inform Mr. Matar of its decision.

Magistrate Watt closed the public hearing after receiving no further comments, written or oral, from the audience or the board.

Adjournment:

The meeting adjourned at 2:47 p.m.

  
James L. Watt, Special Magistrate